

United States Senate

WASHINGTON, DC 20510

October 26, 2011

President Barack Obama
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Obama:

We write to express our support for the U.S. Department of Transportation's (DOT) efforts to finalize the commercial motor vehicle (CMV) driver hours of service (HOS) rules. The proposed rules are the product of several years of fatigue and other safety research and analysis of public comments and industry safety data.

The commercial motor carrier industry is a major component of the U.S. economy, moving 64 percent of the total value of goods shipped in our country. While we believe that the motor carrier industry must be able to thrive to support the economy, the DOT must protect public safety at the same time. Under the current HOS rules, drivers operating CMVs often work demanding schedules, including workweeks in excess of 80 hours, averaging over 13 hours a day. These schedules can prevent a driver from getting proper rest, and therefore become a safety risk to other motorists.

DOT has determined that fatigue-related crashes and resulting injuries have significant societal impacts and costs. Large truck crashes resulted in 3,380 deaths in 2009, costing taxpayers nearly \$20 billion in health care and related costs and repairs to damaged infrastructure. The National Transportation Safety Board has found that fatigue is the primary factor in 30 to 40 percent of large truck crashes.

To address these safety issues and incorporate scientific research, DOT proposes to amend the current HOS rules. For example, the DOT's proposal would permit increased flexibility for CMV drivers to get adequate rest when they need it and to adjust their schedules to account for unanticipated delays without sacrificing a full day's work. According to DOT's analysis, the proposal will result in many safety benefits, as well as benefits to the industry through reduced health care costs associated with injuries sustained in crashes and overall improved driver health. The proposal also addresses issues raised in the U.S. Court of Appeals decision to overturn the 2003 and 2005 HOS rulemakings.

The DOT sought input from a wide range of stakeholders—including carriers, drivers, unions, and safety advocates—and held a number of public listening sessions as it developed this proposal. While we understand that the DOT's proposal is not final, we are encouraged that such stakeholder involvement has led to a balanced and sensible proposal. We believe these changes, along with other safety initiatives, such as the DOT's proposal to mandate electronic on-board recorders on all CMVs, are necessary to improve safety and positively impact driver health.

As you finalize the HOS rules, we urge you to make safety, scientific research, and the work that has already been completed by the DOT the primary factors in your decision. Thank you for your attention to this important issue.

Sincerely,

Frank R. Lautenberg Jay Byrnes
Barbara Byrnes